

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**ANTHONY TRUPIA,**

**Plaintiff,**

**v.**

**HERITAGE HARD ASSETS LLC;  
KYLE PATTON, individually as  
Manager/Officer of HERITAGE HARD  
ASSETS LLC; HLV VENTURES, an  
unregistered New York company;  
REAGAN GOLD GROUP, LLC;  
STEVE FRANCIS, individually as  
Manager/Officer of REAGAN GOLD  
GROUP, LLC; WORLD HARVEST  
CHURCH, INC. ; ROD PARSLEY,  
individually as Manager/Officer of  
WORLD HARVEST CHURCH, INC.;  
SOUTH BAY GALLERIES LLC;  
BRANDON MENDELSON, individually  
as Manager/Officer of SOUTH BAY  
GALLERIES LLC; TELNYX LLC;  
DAVID CASEM, individually as  
Manager/Officer of TELNYX LLC;  
IAN EITHER, individually as  
Manager/Officer of TELNYX LLC;  
JAMES WHEDBEE, individually as  
Manager/Officer of TELNYX LLC;  
MANDI MENA, individually as  
Manager/Officer of TELNYX LLC;  
ONVOY, LLC; BRETT SCORZA,  
individually as Manager/Officer of  
ONVOY, LLC; JAMES HYNES,  
individually as Manager/Officer of  
ONVOY, LLC; G EDWARDS EVANS,  
individually as Manager/Officer of  
ONVOY, LLC; MATTHEW CARTER  
JR, individually as Manager/Officer of  
ONVOY, LLC; LEVEL 3  
COMMUNICATIONS, LLC; JEFF  
STOREY, individually as**

**Case No. CIV-24-498-SLP**

**(Removed from the District Court  
of Oklahoma County, Oklahoma,  
Case No. CJ-2024-2684)**

**Manager/Officer of LEVEL 3  
COMMUNICATIONS, LLC;  
ZEBERSKY PAYNE SHAW LEWENZ,  
a Florida law firm; ZACHARY D  
LUDENS, individually as an attorney of  
ZEBERSKY PAYNE SHAW LEWENZ;  
and DOES 1 through 100, inclusive,**

**Defendants.**

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant, HLV Ventures (“Defendant”), hereby removes this action from the District Court of Oklahoma County, State of Oklahoma, to the United States District Court for the Western District of Oklahoma. In support of this Notice of Removal, Defendant states as follows:

1. Defendant is one of the named Defendants in a civil action initially filed on April 22, 2024, in the District Court of Oklahoma County, State of Oklahoma, styled *Anthony Trupia v. Heritage Hard Assets LLC, et al.*, CJ-2024-2684. *See*, Petition, attached hereto as Exhibit 1.

2. Removal of this action from the District Court of Oklahoma County, Oklahoma to federal court is proper under 28 U.S.C. §§ 1331 and 1441(a) because the federal court would have original jurisdiction of this action based on federal question jurisdiction (28 U.S.C. § 1331) had this action been brought originally in the federal court.

3. Original jurisdiction is proper in this case pursuant to 28 U.S.C. § 1331 because, in the Petition, Plaintiff Anthony Trupia (“Plaintiff”), appearing *pro se*, asserted alleged claims in violation of the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. §6101, *et seq.*), the Telemarketing Sales Rule (16 C.F.R. §310, *et seq.*), and the Telephone Consumer

Protection Act (47 U.S. § 227, *et seq.*) . *See* Exhibit 1 at ¶ 1. Accordingly, this Court has original jurisdiction over Plaintiff's claims. 28 U.S.C. § 1331.

4. Additionally, pursuant to 28 U.S.C. § 1367, this Court has supplemental jurisdiction over Plaintiff's asserted state law claims against Defendant for alleged improper telemarketing activities because these claims arise out of the same common nucleus of operative facts as concerning this individual Defendant.

5. Defendant was served on April 29, 2024. Pursuant to 28 U.S.C. § 1446, this Notice of Removal is timely filed because it is within 30 days of April 29, 2024.

6. Pursuant to 28 U.S.C. §1446(d), Defendant will promptly provide written notice of removal of the action to all other parties known to be served in this lawsuit as of the time of filing, if any, and will promptly file a copy of this Notice of Removal with the Clerk of the Oklahoma County District Court.

7. In violation of Okla. Stat. tit. 12 § 2011(A), Plaintiff failed to provide "the address of the signer and telephone number" upon the signing of his Petition but did provide his purported address with the Summons. *See* Exhibits 1 and 2 at Signature Block. As Plaintiff has not consented to service by electronic means pursuant to FRCP 5(b)(2)(E) and Okla. Stat. tit. 12 § 2005(B), these papers will be sent to the Plaintiff's address listed in the Summons.

8. Pursuant to 28 U.S.C. 1446, and in compliance with LCvR81.2, copies of all process, pleadings, orders, and documents filed or issued in the state action are attached hereto as Exhibits 1 through 2.

9. Also in compliance with LCvR 81.2, a true and correct copy of the docket sheet is attached as Exhibit 3.

10. There are currently no motions pending in this action.

WHEREFORE, Defendant, HLV Ventures, respectfully requests that the United States District Court for the Western District of Oklahoma accept this Notice of Removal, assume jurisdiction of the cause, and issue such further orders and processes as may be necessary.

Respectfully submitted,

**HALL, ESTILL, HARDWICK,  
GABLE, GOLDEN & NELSON, P.C.**

*s/Aaron C. Tifft*

By: Mark Banner, OBA # 13243  
Aaron C. Tifft, OBA # 33288  
**HALL, ESTILL, HARDWICK, GABLE,  
GOLDEN & NELSON, P.C.**  
521 E. 2<sup>nd</sup> Street, Suite 1200  
Telephone (918) 594-0400  
Facsimile (918) 594-0505  
**ATTORNEYS FOR DEFENDANT,  
HLV VENTURES**

**CERTIFICATE OF SERVICE**

I hereby certify that on May 15, 2024, a true and correct copy of the foregoing document was served on the following via First-Class United States Mail:

Anthony Trupia  
605 SE 21<sup>st</sup> St.  
Oklahoma City, OK 73129

**PRO SE PLAINTIFF**

*s/ Aaron C. Tift*

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